

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

City of Chicago,

Plaintiff,

v.

DoorDash, Inc. and Caviar, LLC,

Defendants.

Civil Action No. 1:21-cv-05162

Hon. Jeremy C. Daniel
Magistrate Judge Jeffrey T. Gilbert

JOINT STATUS REPORT

Pursuant to this Court's orders dated December 23, 2022 (ECF No. 90) and December 19, 2022 (ECF No. 87) directing the parties to file a status report seven days after each rolling production deadline to provide information about the last rolling production, what has been produced to date in total, and what remains to be produced, the parties hereby file this Joint Status Report concerning the November 1, 2024 production deadline.

I. Status of the City's Document Productions

A. Documents Produced by the City To Date

As of November 1, the City has produced 10,559 documents, totaling 70,187 pages, in rolling productions. The City's prior productions are described in more detail in the prior joint status reports (ECF Nos. 96, 101, 105, 109, 115, 151, 164, 174, 194, 200, 202, 216, 230, 234, 242, 246, 249, 250, 282, 294, 304, 308, 309, 320, 322, 336, 343, 346, 353, 356, 357, 358, 361). The City did not make an additional production on November 1, 2024.

B. Remaining Documents to be Produced

The City continues to review its overall production for completeness. The City produced documents responsive to RFP Nos. 41, 95 and 96 on September 6 and September 27. The City produced an updated privilege log on May 9, 2024, and supplemented the log on September 27, 2024 to include the documents it reviewed in accordance with the Court's rulings on July 25, 2024 concerning RFP Nos. 95, 96, and 41. The City expects to produce documents from our completed RFP No. 95 and 96 review by November 26, 2024. The City will produce a privilege log associated with this review by December 11, 2024.

C. Depositions

The City deposed former DoorDash employee Kathryn Gonzalez on September 25, 2024, and current DoorDash employee Jimmy Liu on November 7, 2024. Based on current information, the City intends to depose at least the following current and former DoorDash employees: Ryan Parietti, Sasha Makovik, Jonathan Berk, and Charlton Soesanto. The City also intends to depose DoorDash pursuant to Rule 30(b)(6). The City expects to propose dates for these depositions in December and January. The City expects to identify additional deponents as its review of DoorDash's documents continues. The City is also awaiting completion of the production of the documents of Mr. Berk, Mr. Soesanto, and Jessica Lachs ordered by the Court, which is a predicate to the City scheduling the depositions of Mr. Berk and Mr. Soesanto and may result in the City identifying additional deponents.

II. Status of DoorDash's Document Productions

A. Documents Produced by DoorDash to Date

DoorDash made a production on October 25, 2024, which included documents from custodians Jonathan Berk, Jessica Lachs, and Charlton Soesanto—the custodians added pursuant

to the Court's September 9, 2024 order (ECF No. 354). Since August 2022, DoorDash has produced a total of 8,004 documents and 44,033 pages across 31 productions. The documents produced to date include:

- Custodial documents responsive to the City's document requests relating to minimum amount promotional discounts, non-partner restaurants, Dasher pay, consumer fees, and menu pricing;
- Documents identified in known non-custodial locations;
- Documents identified from DoorDash's review of documents produced in related investigations and litigations; and
- Spreadsheets that were created in order to respond to the City's requests for specific data.

B. Remaining Documents to be Produced

DoorDash is reviewing additional documents of the custodians added by the Court in its September 9, 2024 order (ECF No. 354). DoorDash is collecting, reviewing, and producing documents responsive to the City's RFPs, Set Five, served on March 15, 2024. DoorDash also continues to collect, review, and prepare for production additional documents responsive to agreements reached between the parties ahead of the Court's motion-to-compel deadline on May 15, 2024.

C. Deposition Status Update

DoorDash has noticed and scheduled the following fact witness depositions:

- Rosa Escareño – deposition confirmed for December 4, 2024;
- Isaac Reichman – deposition confirmed for December 10, 2024; and
- Miguel Campos – deposition confirmed for December 17, 2024.

After the conclusion of these depositions, and depending on the content of the witnesses' testimony, DoorDash will identify its next set of deponents. DoorDash explicitly does not waive its right to notice additional depositions.

DATED: November 8, 2024

Respectfully submitted,

**CITY OF CHICAGO DEP'T OF LAW,
AFFIRMATIVE LITIGATION
DIVISION**

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